

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

MICHAEL K. BLOCH,

Plaintiff,

v.

Case No. 07-C-478

ROCKWELL LIME COMPANY,

Defendant.

ORDER DENYING MOTION TO VACATE JUDGMENT

Plaintiff Michael K. Bloch, now appearing pro se, has filed a motion to vacate the judgment entered in the above matter on December 4, 2007. As grounds for his motion, Bloch references a letter sent to the court shortly after judgment was entered in which he accuses his attorney, Charles W. Jones, of misrepresentation. Bloch alleges in the letter that Attorney Jones failed to use information he provided him to the effect that Rockwell was self-insured in 2004 in opposing Rockwell's motion for summary judgment. Bloch alleges that Attorney Jones deliberately kept this information from the court in order to allow the defendants to obtain summary judgment. He further asserts that Attorney Jones did so in order to "attain monetary gain from the defendants." (Docket #35.)

Bloch's motion will be summarily denied. The letter upon which his motion is based is wholly insufficient to warrant the relief requested. The fact that Rockwell may have been self-insured in 2004, assuming it is relevant at all, would not have resulted in a different outcome. Rockwell would still have been entitled to summary judgment because Bloch had no evidence of

either discrimination or retaliation in violation of the ADA. Moreover, Bloch has offered no evidence, other than his own angry speculation, to support his claim that his attorney failed to represent his interests zealously. Even assuming he has such evidence, however, the motion would not be granted. Rockwell should not be subjected to continuation of this litigation simply because Bloch is now unhappy with his attorney. Accordingly, the motion to vacate judgment is denied.

Dated this 3rd day of January, 2008.

s/ William C. Griesbach
William C. Griesbach
United States District Judge